

Appln. No. 09/939,267

Attorney Docket No. 10541-466

II. Remarks

Reconsideration and re-examination of this application in view of the above amendments and the following remarks is herein respectfully requested.

Claims 1-27 remain pending.

Claim Rejections - 35 U.S.C. §103(a)

Each of the rejections provided by the examiner rely on the Guthrie et al. reference. The Applicant respectfully submits the attached Declaration of the Paul F. Weindorf Under 37 C.F.R. §1.131, which evidences the conception of the claimed invention prior to September 29, 2000 (the 102(e) date of the Guthrie et al. reference and diligence from a date prior to September 29, 2000 to the filing of the instant application. Accordingly, the applicant respectfully submits that the Guthrie et al. reference is not prior art under 35 U.S.C. §102, and therefore cannot form the basis for a §103(a) rejection. As such, applicant respectfully requests that the Examiner reconsider and withdraw these rejections under §103.

New Claim 27

Claim 27 has been added and corresponds to original claim 1.

Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of

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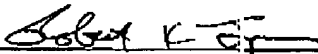
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record and that this application is now in condition for allowance. Such action is respectfully requested.

Respectfully submitted by,

Dated: January 20, 2006


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